

## DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name. I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **Prevention and Treatment of Necrotizing Enterocolitis**, the specification of which is attached hereto. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

09/318,109	05/24/99	Patented
<i>Application Serial No.</i>	<i>Filing Date</i>	<i>Patented, Pending or Abandoned</i>

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole or First Inventor: **John A. Kink**

Inventor's Signature: \_\_\_\_\_  
Residence: 110 Wolf Street, Madison, Wisconsin 53717  
Post Office Address: 110 Wolf Street, Madison, Wisconsin 53717

Date: \_\_\_\_\_  
Citizenship: United States of America

Full Name of Second Joint Inventor: **Katherine L. Worledge**

Inventor's Signature: \_\_\_\_\_  
Residence: 3110 Dorchester Way #4, Madison, Wisconsin 53719  
Post Office Address: 3110 Dorchester Way #4, Madison, Wisconsin 53719

Date: \_\_\_\_\_  
Citizenship: \_\_\_\_\_

## **ASSIGNMENT**

WHEREAS, WE, John A. Kink and Katherine L. Worledge, hereinafter referred to as "ASSIGNOR", have invented certain new and useful improvements as described and set forth in the below-identified application for United States Letters Patent:

**Title of Invention:** **Prevention and Treatment of Necrotizing Enterocolitis**

Filing Date: Serial No.:

WHEREAS, Promega Corporation, a Wisconsin corporation, 2800 Woods Hollow Road, Madison, Wisconsin 53711-5399, hereinafter referred to as "ASSIGNEE", is desirous of acquiring the entire right, title and interest in said invention and application and in any Letters Patent which may be granted on the same;

NOW THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for and in consideration of the sum of One Dollar (\$1.00) lawful money paid to ASSIGNOR by ASSIGNEE and other good and valuable consideration, receipt of which is hereby acknowledged, ASSIGNOR has sold, assigned and transferred, and by these presents does sell, assign and transfer unto said ASSIGNEE, and ASSIGNEE's successors and assigns, all right, title and interest in and to said invention, said application for United States Letters Patent, and any Letters Patent which may hereafter be granted on the same in the United States and all countries throughout the world including any divisions, renewals, continuations in whole or in part, substitutions, conversions, reissues, prolongations or extensions thereof, said interest to be held and enjoyed by said ASSIGNEE as fully and exclusively as it would have been held and enjoyed by said ASSIGNOR had this assignment and transfer not been made, to the full end and term of any Letters Patent.

ASSIGNOR further agrees that ASSIGNOR will, without charge to said ASSIGNEE, but at ASSIGNEE's expense, cooperate with ASSIGNEE in the prosecution of said application and/or applications; execute, verify, acknowledge and deliver all such further papers, including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof; and will perform such other acts as ASSIGNEE lawfully may request, to obtain or maintain Letters Patent for said invention and improvement in any and all countries, and to vest title thereto in said ASSIGNEE, or ASSIGNEE's successors and assigns.

IN TESTIMONY WHEREOF, ASSIGNOR has hereunto signed ASSIGNOR's names to this assignment on the date indicated below.

John A. Kink

Katherine L. Worledge

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )  
SS.

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year of \_\_\_\_\_, before me, the undersigned notary public, personally appeared the above-named ASSIGNOR, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged that he/she executed the same.

## NOTARY PUBLIC

SEAL

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: John A. Kink *et al.* Group No.:  
Serial No.: Examiner:  
Filed:  
Entitled: **Prevention and Treatment of Necrotizing Enterocolitis**

**POWER OF ATTORNEY BY ASSIGNEE**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Promega Corporation, as Assignee of record of the entire interest of the above-identified patent application, hereby appoints  
the members of the firm of MEDLEN & CARROLL, LLP, a firm composed of:

Virginia S. Medlen	(Reg. No. 32,050)	Maha A. Hamdan	(Reg. No. 43,655)
Peter G. Carroll	(Reg. No. 32,837)	J. Mitchell Jones	(Reg. No. 44,174)
Kamrin T. MacKnight	(Reg. No. 38,230)	David J. Wilson	(Reg. No. 45,225)
David A. Casimir	(Reg. No. 42,395)	Jason R. Bond	(Reg. No. 45,439)
Jaen Andrews	(Reg. No. 35,051)	Thomas J. Bordner	(Reg. No. 47,436)
Tanya A. Arenson	(Reg. No. 47,391)		

as its attorneys with full power of substitution to prosecute this application and transact all business in the Patent and Trademark Office  
in connection therewith.

Please direct all future correspondence and telephone calls regarding this application to:

Peter G. Carroll  
MEDLEN & CARROLL, LLP  
220 Montgomery Street, Suite 2200      Telephone: 415/705-8410  
San Francisco, California 94104      Facsimile: 415/397-8338

I hereby certify that the Assignment document filed with the application or filed subsequent to the filing date of the application, has been reviewed and I hereby certify that, to the best of my knowledge and belief, title is with Promega Corporation.

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Promega Corporation  
2800 Woods Hollow Road  
Madison, Wisconsin 53711-5399